IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.805 OF 2004
IN
SUIT NO.1789 OF 1988

Najma Wd/o of Ramzanali
Rasekhinejad and Ors. .. Plaintiffs

Vs.

Ali Akbar S/o of Safarali
Rasekhinejad .. Defendant

And

Abbas Ali Rasekhinejad & Ors. .. Respondents

Ms.Mili Thakkar i/b Gordhandas & Fozdar for the plaintiffs

Mr.Kishor Jain with T.Goradia for the respondent no.1a to 1d

CORAM : S.U.KAMDAR, J

DATED : 11TH APRIL 2005

P.C.:

. The present Chamber Summons is taken out for bringing the legal heirs of the defendant on record. The learned counsel appearing for legal heirs contends that there is a substantial delay as they were informed of the legal heirs as far back as July 2002. In view of the Judgment of the Apex Court in the case of Mithailal Dalsangar Singh and

others Vs. Annabai Devram Kini and Others reported in AIR 2003 SUPREME COURT 4244 para 9 thereof I grant the Chamber Summons in terms of prayer clause (a). Amendment to be carried out within 2 weeks. Plaintiff to pay cost quantified at Rs.1000 to the defendant